



REGULAR MEETING
CITY COUNCIL

October 3, 2016

Ronnie Thompson, Mayor

Sonja Marston, Assistant City Manager
Louis E. Vinay, Jr., City Attorney

John H. Cantrell)
Forrest A. Fleming) Councilmen
Sidney Simmons)
Vacant)

Becky Brinkley, Interpreter

I. The meeting was called to order in the Council Chamber at City Hall at 6:00 p.m. by Mayor Thompson.

II. Public Comment – The Mayor stated the guidelines for public comment and speakers were called in order of sign-up.

- Joe Eddy Roper resides at 625 College Street. Roper stated that his comments were not intended for the Mayor or City Attorney. Mr. Roper said that on August 22-26, 2016 the City's tractor cut a bank at his home and cut the tops off of his juniper bushes and that the juniper bushes have died because of being cut by the City. He stated that he had contacted Scott Lookadoo about the bushes on August 29th and that he talked again to Mr. Lookadoo on September 30th and still he hasn't heard anything from Mr. Lookadoo or the City about his bushes. On October 3rd Mr. Roper came to City Hall and spoke with Andrew Smith and Scott Lookadoo. He said that Mr. Smith wouldn't come to Mr. Roper's home to look at the dead juniper bushes. He also stated that Mr. Smith asked Mr. Roper to leave City Hall because of his language. Mr. Roper then proceeded to read the definition of "dam" to the City Council. He also stated that because the City cut his bushes that his yard was washing away. Mr. Roper ran out of time and stated that he would be back at the next Council meeting to finish his comments.
- Pam Pickert resides at 309 E. Concord Street. Ms. Pickert stated that the Community House was not ADA approved and there was no handicap parking near the entrance to the Community House; that handicapped people had to struggle to get into the Community House. She also stated that an elevator needs to be added so that handicapped people could use it to enter the building.

Ms. Pickert also stated that there should be parking spaces in the back near the rear entrance for handicapped people.

No other speakers were signed up and the Mayor recessed the meeting at 6:08 p.m.

III. Business of the Council – The Mayor reconvened the meeting at 6:15 p.m.

IV. Pledge of Allegiance – Councilman Fleming led the recitation of the Pledge of Allegiance to the Flag.

V. Invocation – The invocation was given by Pastor Timothy Fortune, Horizon Church.

VI. Introduction of Council – The Mayor introduced the Council and staff.

VII. Public Advocacy Issues and Strategies

a. The Mayor announced the following events at CoMMA; Fame – The Musical on October 6, and Shanghai Nights, October 20. He also announced that Farmer's Markets continue on Saturdays behind the Old Depot and Wednesdays on North Green Street.

b. Water Tank Update: Brad Boris, Water Resources Director gave an update on the water tank maintenance program, stating that the City's primary goal was to provide the highest quality of water to our customers. Brad addressed the tanks in need of renovation or that are being currently renovated: 1) Lake James tank (has been drained, cleaned and painted). 2) Valdese Avenue tank – the largest tank – is currently drained and being cleaned and painted. 3) Salem and 4) Glen Alpine tanks are in line for maintenance. 5) Dale Circle tank is the next tank to be drained, cleaned and painted.

c. Marvin Collins Award Presentation by Mayor Thompson - The North Carolina Chapter of the American Planning Association (APA-NC) is an association of 1,400 professional and citizen planners working to preserve and create great places throughout North Carolina. The APA-NC Marvin Collins Planning Awards program annually recognizes agencies and individuals that have completed outstanding plans, programs, and projects. The awards signify the highest standards of achievement for planning in North Carolina, and highlight work that is worthy of attention. The City of Morganton was named an award winner for the new Zoning Ordinance. The award was presented at the APA-NC annual conference held in Asheville September 13-16, 2016. Members of the City Planning and Zoning Commission received the award from Councilman Cantrell. Mr. Cantrell stated that the board was hard working and doing a great job. Hank Dickens spoke about the efforts of Lee Anderson and others on the Planning & Zoning Commission who worked hard to earn this award.

The Mayor also said that Lee Anderson and the P & Z Board had done a great job and worked hard.

d. Proclamation: Public Power Week 2016 – The Mayor read the proclamation and Councilman Fleming presented it to Brooks Kirby, Electric Services Director. Mr.

Fleming told Mr. Kirby how much he and the Council appreciate him and his crews keeping the electricity going and appreciated their quick response when the electricity was out. Kirby thanked the staff and other departments for all of their help and hard work in helping the electric department. He mentioned that this week was Public Power Week and everyone should stop by the lobby for free refreshments this week.

e. Proclamation: Fire Prevention Month 2016 – The Mayor read the proclamation and Councilman Simmons presented it to Captain John Campbell, MDPS. Mr. Simmons said that he appreciated the fire department and fire fighters for their great work and appreciated that they kept the fire insurance rates down. Captain Campbell thanked the Mayor and Council for their support and said the fire department would be especially busy this month getting word out about fire prevention.

f. Proclamation: Cyber Security Awareness Month – The Mayor read the proclamation and then presented it to Greg Branch, Director of Information Resource Management Systems. Branch wanted to reiterate what the proclamation said that everyone needed to “stop and think” before you connect. He asked everyone to go to the City’s website and read all of the information posted that could help them be more aware and secure when they are on their connected devices.

VIII. North Carolina Municipal Power Agency Number 1 Update – The Assistant City Manager stated that elections would be held in November for new Board of Directors members. Nominees include Barry Hayes, Mayor of Granite Falls and Jim Gallagher, Councilman in Gastonia. The City plans to support both of these candidates.

IX. Consent Agenda – The Assistant City Manager presented the consent agenda and asked if any items should be removed. No request was made.

Upon motion by Councilman Cantrell, seconded by Councilman Fleming, and unanimously carried, the consent agenda was approved and each individual item adopted as stated, these being as follows:

A. Minutes – Approved minutes as submitted.

B. Tax Releases – Approved tax releases in the amount of \$150.31.

C. Appointment of Tax Collector and Approving a Resolution Adopting an Order Directing the Tax Collector to Collect Taxes – Approved reappointing Jennie McNeilly as Deputy Tax Collector for a period of September 1, 2016 through August 31, 2017.

Approved Resolution #16-25 adopting an Order Directing the Tax Collector to Collect Taxes.

D. Award of Purchase and Financing of Trucks - Awarded purchase of a Heil DuraPack 500-27 cubic yard packer body mounted on a Mack GU chassis rear loader from TranSource in the amount of \$177,929.39; a Johnston VT651 Vacuum sweeper mounted on a Peterbilt 220 PX chassis with dual steering from Carolina Industrial

Equipment in the amount of \$258,925; an Altec Model AA55 bucket truck in the amount of \$228,707; and an Altec Model AT40M service truck in the amount of \$119,721 procured through the NJPA purchasing co-op.

Award financing contract to US Bancorp for \$785,283 at an interest rate of 1.352% for a period of four years (Resolution #16-26).

E. Approval of Contract with P&A Group for Flexible Spending Account Administration - Approved service agreement with P&A Group for \$3.95 / per employee, per month, plus a one-time fee of \$300 for installation and plan documents.

F. Reclassification of a Service Technician Position in CoMPAS – Approved the reclassification of the position of Service Technician-CATV to Network Engineer – paygrade 29.

X. Items Removed from Consent Agenda – There were no items removed from the Consent Agenda.

XI. New Business

1. Consideration of Grant Award of Entitlement Funds to Non-Profits

The Assistant City Manager asked Lisa Helton from the WPCOG to explain the Entitlement Funds Awards:

Ms. Helton stated that CDBG funds for the FY 2016 Action Plan amount to \$22,600, which would be used to provide assistance to non-profits which meet the goals and requirements of the CDBG program.

Applications were received by September 12, 2016 and staff reviewed these applications based on specific requirements set forth by the CDBG program. Staff recommended the following non-profits be awarded entitlement funds:

1. Outreach Center – The Outreach Center requested CDBG funds to provide for the replacement of the awning on the front of the building so clients waiting for assistance will be out of the rain, also for safety reasons. Staff recommended the Outreach Center be awarded a CDBG in the amount of \$10,515.

2. The Meeting Place One – The Meeting Place One has a homeless shelter for men on Burkemont Avenue and an emergency shelter for women and children on White Street. They have requested funding for the purchase of needed appliances for both shelters and a repair at the White Street shelter. Staff recommended that the Meeting Place One be awarded a CDBG in the amount of \$7,085.

3. Burke United Christian Ministries – BUMC requested CDBG funds for their Housing Assistance Program. This program assists low income persons of Morganton

to obtain residential housing either in apartments or rental housing by providing the deposit or first month's rent. Staff recommended awarding \$5,000 to this program.

*There were 6 eligible applications received this FY. Three were not funded; Foothills Service Project, House of Refuge, Olive Hill CEDC

Upon motion by Councilman Cantrell, seconded by Councilman Simmons, and carried unanimously, the Council awarded FY 2016 Entitlement Funds to non-profits as recommended.

2. Consideration for a Call for a Public Hearing to Permanently Close and Abandon Unopened Portions of Murphy Street, McEntire Avenue, and an Un-named Street Between Murphy Street and Carbondale Lane

The City Attorney stated O. Michael Jarrett and his relatives own a number of lots along or near Murphy Street, McEntire Avenue and Carbondale Lane, located generally off Carbon City Road (U.S. 70), adjoining properties of SGL Carbon, LLC, Ridwill Realty and others. The Jarretts have submitted a Petition to Close Abandoned Streets, with supporting survey maps and other documents. The Petition seeks closure of those portions of Murphy Street, McEntire Avenue and an un-named street which are not and apparently never have been open for traffic or maintained as public streets (although small portions have been used as private drives by the Jarretts or other landowners). All of these appear as streets 40 feet wide on a plat of subdivision recorded in 1960, but the City has never seen any need for opening these streets. The owners of all properties adjoining these unopened streets have submitted their written consent to the closures and abandonments.

The Jarrett petition originally covered only that part of the unopened Murphy Street as far as the southern boundary of the Jarrett property. However, if that portion is closed, it would leave as an "orphan" public street, unconnected to any other, the remainder of the platted (but never opened) Murphy Street extending from the Jarrett line across property of SGL Carbon and southward toward Silver Creek. City Staff therefore recommends that if the Jarrett petition is accepted, the City Council should also consider closing and abandoning all the remainder of the unopened Murphy Street.

If the Council wishes to proceed with these street closings, Council would need to adopt a Resolution of Intent setting a public hearing for the November Council meeting, and direct the Clerk to properly advertise and notice the same, all in accordance with N.C.G.S. 160A-299.

Upon motion by Councilman Fleming, seconded by Councilman Simmons, and carried unanimously, the Council adopted a Resolution of Intent (Resolution #16-27) to Permanently Close and Abandon unopened portions of Murphy Street, McEntire Avenue, and an un-named street connecting Murphy Street and Carbondale Lane, and to set a public hearing for Monday, November 7, 2016 at 6:15 PM in the City Hall Council Chambers to consider this action.

3. Consideration of Community House Renovation Project – Phase II

The Assistant City Manager asked Sharon Jablonski to explain Phase II of the Community House Renovation Project.

Mrs. Jablonski stated that on September 26, 2016 the City Council held a workshop to receive information regarding the Phase II renovations of the Morganton Community House. In 2015, the City Council appropriated funds to secure construction drawings for the final phase of renovations to the Community House. Patti Glazer of Glazer Architectural, PA in Asheville provided an update of construction drawings. Patti gave a brief overview of infrastructure needs in the building – describing needs for update of outdated systems, needs for code compliance and improvements for accessibility and handicapped access.

Sharon Jablonski presented financial results from the last several years of operations. In the last five years, food sales have increased 15% and food costs have decreased 29%. Labor is the largest single cost of the operation. She described future opportunities for increased business at the Community House. The bottom line is that Community House operations are being subsidized by about \$150,000/year which is an amount equal to about one-cent on the tax rate.

Three options for moving forward with Phase II renovations were presented with the costs being based on a professional estimator's review of the construction drawings. The Renew the Tradition fundraising group committed to raising an additional \$50,000 in private funding, making available \$150,000 in private funding for future renovation.

Karen Duncan provided financing options for the project. Options are as follows:

15 year, bank qualified borrowing at a 3.00% interest rate

Option 1 - \$1,396,134.45

Annual debt payments of \$117,000

Option 2 - \$1,176,261.3

Annual debt payments of \$98,500

Option 3 - \$909,211.65

Annual debt payments of \$76,200

One cent on the tax rate = \$157,041

These prices are estimates. Final bids may be lower or higher.

She encouraged Council to consider financing this project in 2016 to receive a bank qualified borrowing. This type of borrowing allows the City to secure the lowest interest rate possible. The actual interest rate will be determined and locked in at actual time the bid is awarded. Option 3 is not really doable as there would be no practical way to store equipment needed for operations.

At the conclusion of the workshop, several citizens asked the Council to support the project and move forward. A letter of support from Jan Richardson, co-chair of the Renew the Tradition Committee is included in your packet.

The Assistant City Manager stated this item is consideration of moving forward with Community House renovations, financing the renovations with the approval of the Local Government Commission and agreeing to the scope of renovations.

It is important to note that the construction time on the renovation is estimated to be 6 to 9 months. The first debt payment would be due in fiscal year 2017/2018. Debt payments would be budgeted as part of the CIP. Therefore, no direct increase in the tax rate is proposed due to this project.

If the decision is to move forward, there will be a public hearing on the borrowing in November 2016 and the final construction and financing bids would be presented for Council approval and acceptance at a future Council meeting.

Sharon also stated that the Community House served over 21,000 people this last year.

Mayor Thompson asked if the financing was for 15 years at 3% for Option 1. He asked for a member of the Pilot Club to speak about the project.

Jan Richardson of the Pilot Club of Morganton thanked the Mayor and Council for their support for Phase I of the project and asked for their support in completing all of Phase II of the renovation project for the Community House.

Councilman Fleming stated this project was in the capital budget and that no new tax increase would be required for this project.

Councilman Simmons said that he had talked to many people this week and that they were under the impression that he was opposed to the renovations at the Community House. Mr. Simmons stated that he wasn't opposed, just that they needed to take a long hard look at the project and make sure that making the renovations would not require a raise in taxes to complete.

Councilman Cantrell said that the project would go through the budgeting process and that the money would be well spent.

Upon motion by Councilman Cantrell, seconded by Councilman Fleming, and carried unanimously, the Council adopted a motion to approve the bidding of Phase II renovations of the Morganton Community House as described in Option 1, which is renovation of upstairs and downstairs.

Upon motion by Mayor Ronnie Thompson, seconded by Councilman Cantrell, and carried unanimously, the Council adopted a motion to authorize staff to make application to the Local Government Commission to finance the project using installment purchase proceeds as allowed in G.S. 160A-20.

4. Appointments to Boards and Commissions

a) Board of Adjustment

There is one vacancy on this board due to a resignation. As stated at the September 2016 Council Meeting, Patricia Williams has resigned from the Board of Adjustment.

The following have expressed interest in being considered to complete Ms. Williams term which will expire June 2017.

Susan Shelor, Richard Garrison, and Mark Barrier.

Upon motion by Councilman Cantrell, seconded by Councilman Fleming, and carried unanimously, the Council appointed Susan Shelor to the Board of Adjustment for a term to expire on June 30, 2017.

b) Human Relations Commission

Student representatives to the Human Relations Commission are in place for a one-year period, mostly following the school year. With the on-set of the new school year, a new representative needs to be appointed.

It has been recommended that Marianna Vitrone of Freedom High School be appointed to the Human Relations Commission

This is a Mayoral appointment. The Mayor appointed Marianna Vitrone to the HRC.

XII. Other Items from City Manager and City Council Not on Agenda – There were no additional items.

XIII. Reports – Reports were distributed for information.

XIV. Adjournment – The meeting was adjourned at 6:51 p.m.

Preparation of Minutes. These minutes were prepared by Carolyn Richardson, Paralegal, acting as recording secretary. Copies of all resolutions, ordinances and orders referenced in these minutes are intended to be incorporated into these minutes as if fully set forth herein. Prior to including them into the official minute book, the minutes have been read and approved by the City Manager and the City Attorney, then distributed to each member of the City Council for further review and final approval, at a subsequent Council Meeting.

Mayor

Paralegal